IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 5797 OF 1998.

Ashok Bhagwandas Melwani. ... Plaintiff.

Versus.

Dharmendra B.Gandhi and others. ... Defendants.

Shri B.S.Chandnani for the Plaintiff.

Ms.J.N.Pandhi for the Defendant No.4.

CORAM : ABHAY S.OKA, J.

DATED : 21st August, 2007.

P.C.:

1. The learned Counsel appearing for the Plaintiff has tendered consent terms between the Plaintiff and the 1st to 3rd Defendants. The consent terms are taken on record and marked "X" for identification.

2. The learned Counsel for the Plaintiff states that the consent terms are duly signed by Shri Lokayya C.Bangera, Constituted Attorney of the Plaintiff. He states that the 1st Defendant is personally present in Court who has signed the consent terms for himself and as Managing Director of the 2nd and 3rd Defendants. The learned Counsel for the Plaintiff identifies the 1st Defendant who is personally present in Court. The 1st Defendant who is identified by the learned Counsel for the Plaintiff states that being the Managing Director of the 2nd and 3rd Defendants, he has an authority to sign on behalf of the 2nd and 3rd Defendants and that he has

signed the consent terms on behalf of the said Defendants.

3. In the consent terms it is stated that the Plaintiff is withdrawing the suit as against the 4th Defendant. Hence the suit stands dismissed as against the 4th Defendant as withdrawn.

4. There will be decree in terms of consent terms taken on record. Decree shall be drawn accordingly.

5. Certified copy is expedited.

Judge.